In The Matter Of:

AGENCY RENT A CAR SYSTEM, INC., v. GRAND RENT A CAR CORP.

JOSEPH V. VITTORIA

January 22, 1997, W January 24, 1997, W FEBRUARY 5, 1997

DAVID FELDMAN & ASSOCIATES
216 EAST 45TH STREET, 8TH FLOOR
NEW YORK, NY 10017-3304
(212) 986-4545

Original File jv012297.v1, 282 Pages Min-U-Script® File ID: 0997147804

Word Index included with this Min-U-Script

AKINGUMP:1019 CONFIDENTIAL

Page 173 - Page 176 (46)

<u>j</u>	Page 173		
Vittoria - Confidential	- "	(l) Vittoria - Confidential	Page 175
a don't mean differences of opinion or		12 Q: Do they get customers through travel	
of disagreements. I mean if we look at the licensee]	(i) agent arrangement?	
n standard Avis operation and we lack at your		ig A: Yes.	
si corporate locations are they run the same; do		O: Do they also get customers through	
of they tent to the same customers? That's what I'm	1	es ealls directly to the local location?	
n asking.	1	A: They might.	
A: For the most part, yes.	}		
Q: What type of locations do the licensee	1	in Q: Do you know one way or the other?	
or locations service?	√.	M A: No.	
q A: What type of locations?	4	ng Q: Is that data kept at Avis, the source	
a Q: Right Are they on airport locations?		(1) of the business at the licensee locations?	
A: Most of them are on airport.	3	(12) A: I think we have - we should have the	
4) Q: Are there some off airport?	ľ	in source through the res center and through the	
A: I'm not sure. There might be.		14 travel agencies, if the travel agencies use the	
s Q: As you sit here today you're not sure		is electronic systems.	
n whether any of the franchise locations are off		ng Q: I take it the licensees are required	
a) airport?		tin to pay certain fees to Avis for the right to be	
স A: Exclusively off airport. They are an	, ,	(13) the licensees?	
of Avis franchise that does not operate on an	1	[18] A: Correct.	
al airport?		20) Q: What is that fee based on or	
a Q: That's not what I was asking.	1	gn calculated on?	
31 A: Okay,	\$	(22) A: On their revenues.	
G: Do licensees run on airport locations	1	[23] Q: Is it referred to as the time and	
s and off-airport locations?	ı,	(24) mileage?	
of and description of the second		RS A: I believe so.	
	Page 174		Page 17
Wittoria - Confidential		10 Vittoria - Confidential	
2 A: Yes.		2 Q: You testified this morning about the	
31 Q: What you're not sure of is whether	Ì	is efforts by Grand, I believe, or what you knew of	
in some licensees have only off-airport locations?	ì	10) them to pursue insurance replacement, service	
isi A: Correct.		is replacement rentals. Are you aware of any other	
G: Do licensees, some licensees, operate	į		
M downtown or suburban locations?		(6) licensees who have, likewise, aggressively	
		(6) licensees who have, likewise, aggressively m pursued that area of the market within their	
IN A: Yes.	ĺ	m pursued that area of the market within their	
 A: Yes. O: During the mid-95 time period again, 			
A: Yes. O: During the mid-'95 time period again, o: which we west over this morning, do you have a		m pursued that area of the market within their Nois System location, or Avis licensing location? A: I'm not aware of it.	
B A: Yes. C During the mid-'95 time period again, which we went over this morning, do you have a sense of what the average age of the Avis flect		m pursued that area of the market within their No is System location, or Avis licensing location? A: I'm not aware of it. O: Are you familiar with a licensee known	
A: Yes. O: During the mid-'95 time period again, O: which we went over this morning, do you have a O: sense of what the average age of the Avis fleet		m pursued that area of the market within their Nois System location, or Avis licensing location? A: I'm not aware of it.	
A: Yes. 191		m pursued that area of the market within their Avis System location, or Avis licensing location? A: I'm not aware of it. O: Are you familiar with a licensee known as Kal-Co Rentals, sir, in Michigan? A: No.	
A: Yes. 191 Q: During the mid-'95 time period again, 101 which we went over this morning, do you have a 111 sense of what the average age of the Avis flect 112 was at that time? Did you keep statistics like 113 that?		m pursued that area of the market within their Avis System location, or Avis licensing location? A: I'm not aware of it. O: Are you familiar with a licensee known as Kal-Co Rentals, sir, in Michigan? A: No. O: Are you familiar with a licensee known O: Are you familiar with a licensee known	
181 A: Yes. 181 O: During the mid-'95 time period again, 181 which we went over this morning, do you have a 181 sense of what the average age of the Avis flect 182 was at that time? Did you keep statistics like 183 that? 184 A: We do. My guess, it was probably 185 between five and seven months.		m pursued that area of the market within their 18 Avis System location, or Avis licensing location? 19 A: I'm not aware of it. 10 Q: Are you familiar with a licensee known 10 as Kal-Co Rentals, sir, in Michigan? 112 A: No. 113 Q: Are you familiar with a licensee known 114 as Shore Rentals, that operates in New Jersey?	
181 A: Yes. 181 O: During the mid-'95 time period again, 181 which we went over this morning, do you have a 181 sense of what the average age of the Avis flect 182 was at that time? Did you keep statistics like 183 that? 184 A: We do. My guess, it was probably 185 between five and seven months.		m pursued that area of the market within their Avis System location, or Avis licensing location? Avis Service I and I avis I	
181 A: Yes. 181 O: During the mid-'95 time period again, 181 which we went over this morning, do you have a 181 sense of what the average age of the Avis flect 182 was at that time? Did you keep statistics like 183 that? 184 A: We do. My guess, it was probably 185 between five and seven months. 186 O: Looking at the licensee operations, do		m pursued that area of the market within their Avis System location, or Avis licensing location? Avis Start you familiar with a licensee known Avis Shore Rentals, that operates in New Jersey? Avis Start you aware that Shore Rentals has,	
A: Yes. O: During the mid-'95 time period again, which we went over this morning, do you have a sense of what the average age of the Avis flect was at that time? Did you keep statistics like that? A: We do. My guess, it was probably between five and seven months. O: Looking at the licensee operations, do you have a sense whether the average age of a		m pursued that area of the market within their Avis System location, or Avis licensing location? Avis Start you familiar with a licensee known Avis Shore Rentals, that operates in New Jersey? Avis Start you aware that Shore Rentals has, Avis Shore Rentals, that operates locations, an	
A: Yes. 191 A: Yes. 192 C: During the mid-'95 time period again, 193 which we went over this morning, do you have a 193 sense of what the average age of the Avis flect 194 vas at that time? Did you keep statistics like 195 that? 196 A: We do. My guess, it was probably 197 between five and seven months. 198 C: Looking at the licensee operations, do 197 you have a sense whether the average age of a 198 licensee fleet during that time period varied		m pursued that area of the market within their Avis System location, or Avis licensing location? Avis I'm not aware of it. Avis I'm not aware of it. Avis I'm as Shore Rentals, sir, in Michigan? Avis I'm as Shore Rentals, that operates in New Jersey? Avis I'm as one of its Avis licensed locations, an Avis I'm as one of its Avis licensed locations, an Avis I'm as one of its Avis licensed locations, an Avis I'm as one of its Avis licensed locations, an Avis I'm as one of its Avis licensed locations, an Avis I'm not aware that Shore Rentals has, Avis I'm as one of its Avis licensed locations, an Avis System location in the exists at the service desk of a	
181 A: Yes. 181 C: During the mid-'95 time period again, 181 which we went over this morning, do you have a 181 sense of what the average age of the Avis flect 182 was at that time? Did you keep statistics like 183 that? 184 A: We do. My guess, it was probably 185 between five and seven months. 186 Q: Looking at the licensee operations, do 187 you have a sense whether the average age of a 188 licensee fleet during that time period varied 189 from Avis's, or was it the same?		m pursued that area of the market within their Avis System location, or Avis licensing location? Avis I'm not aware of it. Avis I'm not aware of it. Avis I'm as Shore Rentals, sir, in Michigan? Avis I'm as Shore Rentals, that operates in New Jersey? Avis I'm as one of its Avis licensed locations, an Avis I'm as one of its Avis licensed locations, an Avis I'm as one of its Avis licensed locations, an Avis I'm as one of its Avis licensed locations, an Avis I'm as one of its Avis licensed locations, an Avis I'm as one of its Avis licensed locations, an Avis I'm not aware that Shore Rentals has, Avis I'	
A: Yes. 191 A: Yes. 191 C: During the mid-'95 time period again, 192 which we went over this morning, do you have a 193 sense of what the average age of the Avis flect 194 A: We do. My guess, it was probably 195 between five and seven months. 196 C: Looking at the licensee operations, do 197 you have a sense whether the average age of a 198 licensee fleet during that time period varied 199 A: I don't have that information.		m pursued that area of the market within their Avis System location, or Avis licensing location? Avis Start you familiar with a licensee known Avis Shore Rentals, that operates in New Jersey? Avis Shore Rentals, that operates in New Jersey? Avis Shore Rentals, that Shore Rentals has, Avis Shore Rentals, that Shore Rentals has, Avis Operation that exists at the service desk of a Avis System locations, an Avis Start you aware that Shore Rentals has, Avis Operation that exists at the service desk of a Avis System locations, an Avis System locations, and	
A: Yes. 181 A: Yes. 181 C: During the mid-'95 time period again, 182 which we went over this morning, do you have a 183 sense of what the average age of the Avis flect 184 was at that time? Did you keep statistics like 185 that? 186 A: We do. My guess, it was probably 186 between five and seven months. 187 Q: Looking at the licensee operations, do 188 licensee fleet during that time period varied 189 A: I don't have that information. 180 Q: How did the licensee locations get		m pursued that area of the market within their Avis System location, or Avis licensing location? Avis I'm not aware of it. Avis I'm not aware that Shore Rentals has, Avis I'm as one of its Avis licensed locations, an Avis I'm not aware of it. Avis I'm not aware of it. Avis I'm not aware with a licensee known Avis I'm not aware of it. Avis I'm not aware of it. Avis I'm not aware with a licensee known Avis I'm not aware of it. Avis I'm not aware with a licensee known Avis I'm not aware of it. Avis I'm not aware of it. Avis I'm not aware with a licensee known	
A: Yes. 191 A: Yes. 191 C: During the mid-'95 time period again, 192 which we went over this morning, do you have a 193 sense of what the average age of the Avis flect 194 A: We do. My guess, it was probably 195 between five and seven months. 196 C: Looking at the licensee operations, do 197 you have a sense whether the average age of a 198 floom Avis's, or was it the same? A: I don't have that information. 199 C: How did the licensee locations get 190 their car rental customers?		17 pursued that area of the market within their 18 Avis System location, or Avis licensing location? 19 A: I'm not aware of it. 19 Q: Are you familiar with a licensee known 19 as Kal-Co Rentals, sir, in Michigan? 101 A: No. 103 Q: Are you familiar with a licensee known 104 as Shore Rentals, that operates in New Jersey? 105 A: Yes. 106 Q: Are you aware that Shore Rentals has, 107 as one of its Avis-licensed locations, an 108 operation that exists at the service desk of a 109 car dealership? 100 A: I'm not aware of it. 101 Q: Are you familiar with a licensee known 102 as Coastal Bend Rent A Car in Texas?	
A: Yes. 191 O: During the mid-'95 time period again, 192 which we went over this morning, do you have a 193 sense of what the average age of the Avis flect 193 was at that time? Did you keep statistics like 194 A: We do. My guess, it was probably 195 between five and seven months. 196 O: Looking at the licensee operations, do 197 you have a sense whether the average age of a 198 licensee fleet during that time period varied 199 A: I don't have that information. 199 O: How did the licensee locations get		m pursued that area of the market within their Avis System location, or Avis licensing location? Avis I'm not aware of it. Avis I'm not aware that Shore Rentals has, Avis I'm as one of its Avis licensed locations, an Avis I'm not aware of it. Avis I'm not aware of it. Avis I'm not aware with a licensee known Avis I'm not aware of it. Avis I'm not aware of it. Avis I'm not aware with a licensee known Avis I'm not aware of it. Avis I'm not aware with a licensee known Avis I'm not aware of it. Avis I'm not aware of it. Avis I'm not aware with a licensee known	

Min-U-Script®

AKINGUMP:1063 CONFIDENTIAL